



STATE OF TENNESSEE
EXECUTIVE ORDER
BY THE GOVERNOR

Number 53

**AN EMERGENCY ORDER SUSPENDING PROVISIONS OF CERTAIN LAWS
AND RULES IN ORDER TO PROVIDE RELIEF TO VICTIMS OF RECENT
SEVERE STORMS AND RELATED TORNADOES**

WHEREAS, on February 5, 2008, and February 6, 2008, severe storms and related tornadoes resulted in catastrophic conditions across several counties in West and Middle Tennessee; and

WHEREAS, many Tennesseans lost their lives in this devastating weather event and many more Tennesseans have suffered significant personal injuries and property damage. Many of the residents of these devastated areas have been rendered homeless or are currently unable to return to their homes; and

WHEREAS, in response to these emergency conditions, I directed the enactment of the Tennessee Emergency Management Plan on February 5, 2008, thereby declaring a state of emergency in Tennessee; and

WHEREAS, Tennessee Code Annotated § 58-2-107(e)(1) provides that during a state of emergency, the Governor is authorized to "[s]uspend the provisions of any law, order, rule or regulation prescribing the procedures for the conduct of state business or the orders or rules or regulations of any state agency, if strict compliance with the provisions of any such law, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency"; and

WHEREAS, pursuant to this authority and the general emergency management powers of the Governor under Tennessee Code Annotated Title 58, Chapter 2, I have determined that the temporary suspension of several state laws and rules is necessary in order to cope with the current emergency situation.

NOW THEREFORE, I, Phil Bredesen, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and law, do hereby order and direct that the following state laws and rules be suspended until 12:00 a.m., Central Daylight Time, on April 1, 2008:

1. The provisions of Tenn. Code Ann. § 55-7-201 et seq. and Tenn. Comp. R. & Regs, Chapter 1680-7-1 are hereby suspended to authorize and permit vehicles carrying appropriate identification and transporting emergency equipment, services or supplies for or on behalf of the Federal Emergency Management Agency to carry loads in excess of otherwise lawful maximum weight, height, length and width limits, subject to the following conditions:
 - i. A maximum gross vehicle weight of 95,000 pounds on a five-axle truck tractor/semi-trailer for hauling emergency equipment, services and supplies shall be permitted to travel on all Interstate Highways and state-maintained highways on the National Highway System except on a bridge with a posted weight limit.

- ii. The outer bridge span of the five-axle truck tractor/semi-trailer shall not be less than fifty-one feet (51'). The vehicle's overall length shall not exceed one hundred feet (100') and its height shall not exceed thirteen feet, six inches (13' 6").
- iii. Vehicles greater than eight feet, six inches (8' 6") wide, but not to exceed fourteen feet (14") in width, may travel only during daylight hours, beginning thirty (30) minutes after sunrise and ending thirty (30) minutes before sunset.
- iv. Transporters are responsible to ensure that they have proper oversize signs, markings, flags and escorts as defined by the State of Tennessee Department of Transportation's rules and regulations for overweight and overdimensional movements on Tennessee highways.

Any request by such vehicles for a special permit to transport loads in excess of the foregoing weight, height, length and width limits or other restrictions shall be given expedited consideration and may be approved within the discretion of the Tennessee Department of Transportation's Office of Overweight and Overdimensional Permits. The Commissioner of Transportation shall have the authority to waive any otherwise applicable permit fees related to such a request.

2. The provisions of Tenn. Code Ann. § 62-35-115, as well as any related rules of the Department of Commerce and Insurance, are hereby suspended to the extent such statute and rules would otherwise apply to those non-resident employees of Security Consultant Groups, Inc., who, pursuant to a contract between Security Consultant Groups, Inc. and the United States Department of Homeland Security's Federal Protective Services ("Federal Protective Services"), are providing security guard support to the federally designated disaster relief areas in Tennessee, resulting from the severe weather of February 5 and February 6, provided that all of the following conditions are met:
- i. Such non-resident employees are certified by the United States Department of Homeland Security's Federal Protective Services;
 - ii. Such non-resident employees are employed only within the federally designated disaster relief area; and
 - iii. Security Consultant Group, Inc. and Federal Protective Services provide the applications of the non-resident employees and the related application fees required pursuant to Tenn. Code Ann. § 62-35-116.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 14th day of February, 2008.



GOVERNOR

ATTEST:



SECRETARY OF STATE

